



## Public Records Policy

Fort Vancouver Regional Library District (FVRL) follows the requirements of RCW 42.56 Public Records, commonly known as the Public Records Act.

### DEFINITIONS

A public record, as defined in RCW 42.56.010, includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics except as there exempted. The definition of a public record contains three elements, (WAC 44-14-03001):

1. A "public record" can be any writing "regardless of physical form or characteristics." RCW 42.56.010(3). "Writing" is defined very broadly as: "... handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated." RCW 42.56.010(4). An email, text, social media posting and database are therefore also "writings."
2. Related to the conduct of government or the performance of any governmental or proprietary function.
3. Prepared, owned, used or retained by the agency. RCW 42.56.010(3).

### REQUESTS

All requests either for inspection or for copies of public records must be in writing addressed to the Public Records Officer and may be delivered in person to the FVRL Operations Center or any branch library, by mail, e-mail to [public\\_records@fvrl.org](mailto:public_records@fvrl.org) or fax. Individuals asking for public records information will receive a response within five (5) business office working days from the receipt of the request. The response will include one of the following (RCW 42.56.520):

1. Acknowledging the receipt of the request;
2. An estimate of additional time needed to produce the information requested to:
  - i. clarify the request

- ii. locate records to respond to the request
  - iii. contact a third party affected by the request
  - iv. determine whether any records are covered by an exemption and should not be disclosed in whole or in part
3. Denial of the request based on specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld. RCW 42.56.210.

Initial requests for a single copy of documents approved by the Fort Vancouver Regional Library District Board of Trustees in a public meeting (e.g., policies, resolutions, budgets, minutes, agendas) and information included on the FVRL website will be provided without charge. Copies of the policies that the Fort Vancouver Regional Library District Board of Trustees has approved may be viewed at and/or printed from the FVRL web site, [www.fvrl.org](http://www.fvrl.org).

## **FEES**

RCW 42.56.120 allows for a reasonable charge for printed copies to be imposed for producing copies of public records including the actual costs directly incident to such copying, including customized service charge when a staff member's expertise is required to locate and fill the request. All copies of public records with the exceptions noted above, will incur a charge of 10¢ per page to reproduce and cover the postage cost, if mailed. Information provided electronically will generally be provided without charge. Any payment due must be received prior to producing and/or mailing the information.

## **EXEMPTIONS**

Any library record used to maintain control of library materials, or to provide access to information, that discloses or could be used to disclose the identity of a library user or to identify specific library users with specific library materials or information requests, is exempted from public disclosure to protect user privacy by RCW 42.56.

Certain other exemptions, including personnel matters, items relating to land acquisition, labor negotiations, and donor identification are defined in the RCW. If any item is withheld, the specific exemption that authorizes such withholding will be cited and an explanation will be provided by the Public Records Officer.

## **IMPLEMENTATION**

This policy will be implemented by the Public Records Officer, as delegated by the Library Executive Director. The Public Records Officer is expected to make every effort to apply these rules in a fair, reasonable, humane, and positive manner.

Any person requesting public records who questions the way this policy has been applied, may use the appeal process established by the Appeal Rights of Patrons Policy.

### **BOARD APPROVED**

- Original policy: 2/10/03
- Amended: 9/13/10
- Amended: 4/16/2018